Notice of Allowability	Application No.	Application No. Applicant(s)	
	09/914,436	9/914,436 HOPPE ET AL.	
	Examiner	Art Unit	
	Mark Eashoo, Ph.D.	1732	
The MAILING DATE of this communication app All claims being allowable, PROSECUTION ON THE MERITS IS herewith (or previously mailed), a Notice of Allowance (PTOL-85 NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT F of the Office or upon petition by the applicant. See 37 CFR 1.31	ears on the cover sheet with G (OR REMAINS) CLOSED in ) or other appropriate commun	n the correspondence address this application. If not included	
1. This communication is responsive to the papers filed 09-A			
2. The allowed claim(s) is/are <u>1-9</u> .			
3. The drawings filed on 27 August 2001 are accepted by the	e Examiner.	-	
4.   Acknowledgment is made of a claim for foreign priority uses a)   All b) □ Some* c) □ None of the:  1. □ Certified copies of the priority documents have 2. □ Certified copies of the priority documents have 3. □ Copies of the certified copies of the priority do International Bureau (PCT Rule 17.2(a)).  * Certified copies not received: □ Applicant has THREE MONTHS FROM THE "MAILING DATE" noted below. Failure to timely comply will result in ABANDONN THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.	e been received. e been received in Application cuments have been received in the communication to file of this communication to file of	No n this national stage application fi	
5. A SUBSTITUTE OATH OR DECLARATION must be subm INFORMAL PATENT APPLICATION (PTO-152) which give 6. CORRECTED DRAWINGS (as "replacement sheets") must be submined.	es reason(s) why the oath or d	IINER'S AMENDMENT or NOTIC eclaration is deficient.	E OF
(a) including changes required by the Notice of Draftspers	on's Patent Drawing Daview (	DTO 040) III I	
1) ☐ hereto or 2) ☐ to Paper No./Mail Date	on a rate it brawing Keview (	F10-946) attached	
(b) ☐ including changes required by the attached Examiner's Paper No./Mail Date	s Amendment / Comment or in	the Office action of	
Identifying indicia such as the application number (see 37 CFR 1. each sheet. Replacement sheet(s) should be labeled as such in th	84(c)) should be written on the one header according to 37 CFR	drawings in the front (not the back)	of
7. DEPOSIT OF and/or INFORMATION about the deposit attached Examiner's comment regarding REQUIREMENT F	SIT OF BIOLOGICAL MATER	IAI marint has not to the form of	ne •
Attachment(s)			
1. Notice of References Cited (PTO-892)	5. Notice of Infor	mal Patent Application (PTO-152)	
2. Notice of Draftperson's Patent Drawing Review (PTO-948)	6. 🛛 Interview Sum	mary (PTO-413),	
3. Information Disclosure Statements (PTO-1449 or PTO/SB/08 Paper No./Mail Date	Paper No./Ma B), 7. ⊠ Examiner's Am	il Date <u>10/04</u> . nendment/Comment	
4. Examiner's Comment Regarding Requirement for Deposit	8. 🛛 Examiner's Sta	tement of Reasons for Allowance	
of Biological Material	9. 🗌 Other		

## **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with applicant's attorney, Mr. James R. Franks, on 28-Oct-04.

The application has been amended as follows:

In claim 1, line 1, -- fibrous -- has been inserted after "free-flowing".

In claim 7, line 1, -- fibrous -- has been inserted after "free-flowing".

The following is an examiner's statement of reasons for allowance:

Applicant's argument, filed 09-Aug-04 (pg. 7), that the original fibrous structure is not destroyed is persuasive. The preambles of the independent claims were amended to clarify this aspect of applicant's claims.

Any comments considered necessary by applicant must be submitted-no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

## Correspondence

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Eashoo, Ph.D. whose telephone number is (571) 272-1197. The examiner can normally be reached on 7am-3pm EST, Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Colaianni can be reached on (571) 272-1196. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mark Eashoo, Ph.D. Primary Examiner

28/02/19

Art Unit 1732

October 28, 2004 me

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